

DECLARATION AND POWER OF ATTORNEY

(Attorney Docket No. 112020.146 US2)

As below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe that I am the original and only inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NON-VOLATILE RAM CELL AND ARRAY USING NANOTUBE SWITCH POSITION FOR INFORMATION STATE

the specification of which (check only one):

- ☐ is attached hereto.
- ☒ was filed as United States Patent Application
Serial No. 10/810,963
on March 26, 2004
and was amended on _____
(if applicable)
- ☐ was filed as PCT Patent Application
Serial No. _____
on _____
and was amended under PCT Article 19
on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR §1.56(a) and §1.56(b). I also acknowledge the duty to disclose all information which is material to the patentability as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by myself on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS
UNDER 35 U.S.C. §119(a)-(d) or 365(b), or 365(a):**

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. §119 (YES/NO)

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date	STATUS: (PENDING OR ABANDONED)
60/459,222	03/28/2003	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120 or 365(c):**

APPLICATION NUMBER	DATE OF FILING	STATUS: (PATENTED, PENDING OR ABANDONED)

POWER OF ATTORNEY: As the named inventor, I hereby appoint the following attorney(s) and/or agents associated with Wilmer Cutler Pickering Hale and Dorr LLP, 60 State Street, Boston, Massachusetts 02109, Customer No. 23483, to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

All correspondence should be sent to the following address.

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
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Telephone No.: (617) 525-6000
Facsimile No.: (617) 526-5000

Wherefore I petition that a letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first and joint inventor: THOMAS RUECKES

Inventor's signature Thomas Rueckes Date 09/16/04

Country of Citizenship: United States

Residence: Boston, Massachusetts

Post Office Address: 8 West Hill Place, Boston, Massachusetts 02114

Full name of second and joint inventor: BRENT M. SEGAL

Inventor's signature Brent M. Segal Date 9/14/04

Country of Citizenship: United States

Residence: Woburn, Massachusetts

Post Office Address: 8 Prospect Avenue, #1, Woburn, Massachusetts 01801

Full name of third and joint inventor: BERNARD VOGELI

Inventor's signature _____ Date _____

Country of Citizenship: Switzerland

Residence: Boston, Massachusetts

Post Office Address: 76 West Cedar Street, Boston, Massachusetts 02114

Full name of fourth and joint inventor: DARREN BROCK

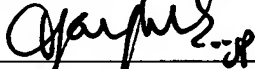
Inventor's signature _____ Date _____

Country of Citizenship: United States

Residence: Elmsford, New York

Post Office Address: 94 Nob Hill Drive, Elmsford, New York 10523

Full name of fourth and joint inventor: VENKATACHALAM C. JAIPRAKASH

Inventor's signature  Date 9-14-04

Country of Citizenship: India

Residence: Fremont, California

Post Office Address: 3184 Ingersoll Place, Fremont, California 94538

Full name of fifth and joint inventor: CLAUDE L. BERTIN

Inventor's signature _____ Date _____

Country of Citizenship: United States

Residence: South Burlington, Vermont

Post Office Address: 33 Pheasant Way, South Burlington, Vermont 05403

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Full name of first and joint inventor: THOMAS RUECKES

Inventor's signature _____ Date _____

Country of Citizenship: United States

Residence: Boston, Massachusetts

Post Office Address: 8 West Hill Place, Boston, Massachusetts 02114

Full name of second and joint inventor: BRENT M. SEGAL

Inventor's signature _____ Date _____

Country of Citizenship: United States

Residence: Woburn, Massachusetts

Post Office Address: 8 Prospect Avenue, #1, Woburn, Massachusetts 01801

Full name of third and joint inventor: BERNARD VOGELI

Inventor's signature _____ Date _____

Country of Citizenship: Switzerland

Residence: Boston, Massachusetts

Post Office Address: 76 West Cedar Street, Boston, Massachusetts 02114

Nov 08 04 03:25p Brent M. Segal, Ph.D.

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P. 17

Full name of fourth and joint inventor: **DARREN BROCK**

Inventor's signature *[Signature]* Date 10/6/04

Country of Citizenship: United States

Residence: Elmsford, New York

Post Office Address: 94 Nob Hill Drive, Elmsford, New York 10523

Full name of fourth and joint inventor: **VENKATACHALAM C. JAIPRAKASH**

Inventor's signature _____ Date _____

Country of Citizenship: India

Residence: Fremont, California

Post Office Address: 3184 Ingersoll Place, Fremont, California 94538

Full name of fifth and joint inventor: **CLAUDE L. BERTIN**

Inventor's signature *Claude L. Bertin* Date 8 Nov. 2004

Country of Citizenship: United States

Residence: South Burlington, Vermont

Post Office Address: 33 Pheasant Way, South Burlington, Vermont 05403



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Inventor's signature  Date 9/16/2004

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Full name of fourth and joint inventor: DARREN BROCK

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Residence: South Burlington, Vermont

Post Office Address: 33 Pheasant Way, South Burlington, Vermont 05403



SWISS CONFEDERATION)
CANTON AND CITY OF ZURICH)
CONSULAR AGENCY OF THE) SS:
UNITED STATES OF AMERICA)

I, Ellen Bruckmann, Consular Agent of the United States of America at Zurich, Switzerland, duly commissioned and qualified, do hereby certify that on this 16th day of September 2004 before me personally appeared **Bernhard Voegeli**, personally known and known to me to be the individual (s) described in, whose name (s) is/are subscribed to, and produced a Swiss Identity Card as identification and who executed the foregoing instrument, and being informed by me of the contents thereof and duly acknowledged to me that he/she/they executed the same freely and voluntarily for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Ellen A. Bruckmann
Consular Agent of the
United States of America

My commission expires indefinitely

